

**REMARKS****INTRODUCTORY MATTERS**

Applicants thank the Examiner for considering Applicants' arguments regarding withdrawn claim 74.

**THE RESTRICTION REQUIREMENT**

The Examiner has required restriction of the claims of this application under 35 U.S.C. § 121 into one of the following two species groups:

Species I: Breast cancer

Species II: Hemangioma

The Examiner states that the above species are independent or distinct from one another and would be a serious search and examination burden if restriction were not required. Specifically, the Examiner contends that these species are not obvious variants of each other based on the current record. Applicants respectfully traverse.

Although Applicants agree that these species are not obvious variants of each other, Applicants respectfully submit that a search for breast cancer (Species I) and for hemangioma (Species II) could be carried out simultaneously without imposing a serious burden. As both species are forms of solid tumors, a search for solid tumors would reveal art for both breast cancer and hemangioma. In addition, the malignancy of the recited solid tumor species, or lack thereof, should not effect the Examiner's search for, or examination of, either species in the context of the pending claims. As both breast cancer and hemangiomas are associated with increased vascularization or neovascularization regardless of their malignancy status, a search of either of these species would not require a different field of search with respect to the pending

claims. Thus, there would be no serious search burden on the Examiner if restriction between Species I and II is not required.

Applicants respectfully request that the Examiner consider Species I and II together. If the Examiner does not agree with this proposal, pursuant to 37 C.F.R. § 1.143, applicants provisionally elect, with traverse, the Species I for further substantive examination. Claims 70, 71, 72, and 75 read on the elected Species I.

Applicants note that claims 70, 71, and 75 are generic to and link Species I and II.

### **CONCLUSION**

In view of the foregoing amendments and remarks, Applicants submit that the pending claims are in condition for allowance. Early and favorable reconsideration is respectfully solicited. The Examiner may address any questions raised by this submission to the undersigned at 617-951-7000. The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our **Deposit Account No. 18-1945, under Order No. HUIP-P02-060.**

Respectfully Submitted,  
/Melissa S. Rones/

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